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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THOMAS DILLON, as Court-Appointed
Receiver for Vesta Strategies, LLC and
Excalibur 1031 Group, LLC,

Plaintiff,

v.

CONTINENTAL CASUALTY
COMPANY, an Illinois corporation,

Defendant.

Case No. C 10-05238 JW

[Signature]
**[PROPOSED] ORDER RE: DEADLINE TO
HOLD ADR SESSION THIRTY (30) DAYS
FROM CLOSE OF FACT DISCOVERY**

Upon consideration of the parties' stipulation, the Court orders as follows:

1. The Parties shall participate in private mediation with a mediator mutually agreeable to the parties;
2. The mediation will take place no later than 30 days from the close of fact discovery.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: January 5, 2011

[Signature: James Ware]
Hon. James Ware